

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

FREDY HERNANDEZ-CASTILLO,

Defendant.

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Case No. 8:09CR94

**REPORT AND RECOMMENDATION
AND ORDER**

At the conclusion of the hearing on August 28, 2008, on defendant's Motion to Suppress Evidence and Statements (#27), I stated my conclusions on the record and my decision to recommend that the motion to suppress be granted in part and denied in part. In accordance with that announcement,

IT IS RECOMMENDED to the Honorable Lyle E. Strom, United States Senior Judge, that the Motion to Suppress (#27) be granted as to any statements made by the defendant after he was handcuffed and arrested, and denied in all other respects.

FURTHER, IT IS ORDERED:

1. The clerk shall cause a transcript of the hearing to be prepared and filed.
2. Pursuant to NECrimR 57.3, any objection to this Report and Recommendation shall be filed with the Clerk of the Court within ten (10) days after the unredacted transcript is available to counsel. Failure to timely object may constitute a waiver of any such objection. The brief in support of any objection shall be filed at the time of filing such objection. Failure to file a brief in support of any objection may be deemed an abandonment of the objection.

Dated this 28th day of August 2009.

BY THE COURT:

S/ F.A. Gossett
United States Magistrate Judge